

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A data distribution system comprising:

a reproducing apparatus for reproducing content data distributed from a first medium;

a recording apparatus for recording the reproduced content data on a second medium;

an examiner for examining usage space information of the content data, the first medium, the reproducing apparatus, the second medium, and the recording apparatus; and

a controller for controlling transfer of the content data from the first medium to the second medium based on the result of the examination;

wherein the usage space information indicates system information of the recording apparatus and the reproducing apparatus, ownership right information of the content data, format information of the content data, and distributing profit information obtained by the distribution of the content data, and

wherein the examiner:

examines whether the content data is of a first type which is distributed in an encrypted state or of a second type which is distributed in an unencrypted state,

examines whether the first medium is of a first type having a

configuration enabling recorded data to be effectively read out by performing authentication processing or of a second type having no such configuration and enabling read out of the recorded data without authentication,

examines the reproducing apparatus to determine whether the reproducing apparatus is of a first type for reproducing after the authentication processing or of a second type for reproducing without the processing, and

examines the recording apparatus to determine whether the recording apparatus is of a first type for recording after the authentication processing or of a second type for recording without the processing.

2. (Canceled)

3. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller disables the reproduction when the usage information indicates that the content data is of the first type, the first medium is the second type of medium, and the reproducing apparatus is the second type of reproducing apparatus.

4. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller disables the reproduction when that the content data is of the first type, the first medium is the second type of medium, and the reproducing apparatus is the first type of reproducing apparatus.

5. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the reproduction when the usage information indicates that the content data is of the second type, the first medium is the second type of medium, and the reproducing apparatus is the second type of reproducing apparatus.

6. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the reproduction when the usage information indicates that the content data is of the second type, the first medium is the second type of medium, and the reproducing apparatus is the first type of reproducing apparatus.

7. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller disables the reproduction when the usage information indicates that the content data is of the first type, the first medium is the first type of medium, and the reproducing apparatus is the second type of reproducing apparatus.

8. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the reproduction when the usage information indicates that the content data is of the first type, the first medium is the first type of medium, and the reproducing apparatus is the first type of reproducing apparatus.

9. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the reproduction when the usage information indicates

that the content data is of the second type, the first medium is the first type of medium, and the reproducing apparatus is the second type of reproducing apparatus.

10. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the reproduction when the usage information indicates that the content data is of the second type, the first medium is the first type of medium, and the reproducing apparatus is the first type of reproducing apparatus.

11. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller disables the recording when usage information indicates that the content data is of the first type, the second medium is the second type of medium, and the recording apparatus is the second type of recording apparatus.

12. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller disables the recording when usage information indicates that the content data is of the first type, the second medium is the second type of medium, and the recording apparatus is the first type of recording apparatus.

13. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the recording when the usage information indicates that the content data is of the second type, the second medium is the second type of medium, and the recording apparatus is the second type of recording apparatus.

14. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the recording when the usage information indicates that the content data is of the second type, the second medium is the second type of medium, and the recording apparatus is the first type of recording apparatus.

15. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller disables the recording when that the content data is of the first type, the second medium is the first type of medium, and the recording apparatus is the second type of recording apparatus.

16. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the recording when the usage information indicates that the content data is of the first type, the second medium is the first type of medium, and the recording apparatus is the first type of recording apparatus.

17. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the recording when the usage information indicates that the content data is of the second type, the second medium is the first type of medium, and the recording apparatus is the second type of recording apparatus.

18. (Previously Presented) A data distribution system as set forth in claim 1, wherein the controller enables the recording when the usage information indicates that

the content data is of the second type, the second medium is the first type of medium, and the recording apparatus is the first type of recording apparatus.

19-30. (Canceled)

31. (Currently Amended) A data processing apparatus comprising:

a reproducing apparatus for reproducing content data distributed from a recording medium;

an examiner for examining usage space information of the content data, the recording medium, and the reproducing apparatus; and

a controller for controlling the reproduction of the content data from the recording medium based on results of the examination;

wherein the usage space information indicates system information of the reproducing apparatus, ownership right information of the content data, format information of the content data, and distributing profit information obtained by the distribution of the content data, and

wherein the examiner:

examines whether the content data is of a first type which is distributed in an encrypted state or of a second type which is distributed in an unencrypted state,

examines whether the recording medium is of a first type having a configuration enabling recorded data to be effectively read out by performing authentication processing or of a second type having no such configuration and enabling read out of the recorded data without authentication, and

examines the reproducing apparatus to determine whether the reproducing apparatus is of a first type for reproducing after the authentication processing or of a second type for reproducing without the processing.

32. (Canceled)

33. (Previously Presented) A data processing apparatus as set forth in claim 31, wherein the controller disables the reproduction when the usage information indicates that the content data is of the first type, the recording medium is the second type of recording medium, and the reproducing apparatus is the second type of reproducing apparatus.

34. (Previously Presented) A data processing apparatus as set forth in claim 31, wherein the controller disables the reproduction when the usage information indicates that the content data is of the first type, the recording medium is the second type of recording medium, and the reproducing apparatus is the first type of reproducing apparatus.

35. (Previously Presented) A data processing apparatus as set forth in claim 31, wherein the controller disables the reproduction when the usage information indicates that the content data is of the first type, the recording medium is the first type of recording medium, and the reproducing apparatus is the second type of reproducing apparatus.

36-49. (Canceled)

50. (Withdrawn) A data distribution method for transferring content data from a first medium in a reproducing apparatus to a second medium in a recording apparatus, comprising the steps of:

- examining usage space information indicating ownership right information, format information, and distributing profit information of the content data;

- examining whether the content data is of a first type which is distributed in an encrypted state or a second type which is distributed in an unencrypted state;

- examining usage space information indicating system information of the reproducing apparatus;

- examining whether the first medium is of a first type having a configuration enabling recorded data to be read out by performing authentication processing or a second type enabling read out of the recorded data without the authentication processing;

- examining whether the reproducing apparatus is of a first type for reproducing after the authentication processing or a second type for reproducing without the authentication processing;

- examining usage space information of the second medium;

- examining usage space information indicating system information of the recording apparatus;



examining whether the recording apparatus is of a first type for recording after the authentication processing or a second type for recording without the authentication processing; and

controlling the transfer of the content data from the first medium to the second medium based on the result of the examining.